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June 12, 2017

VIA ECF

The Honorable Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Amber Daniels, et al. v. City of New York, et al., 16-CV-190 (WFK) (JO)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney assigned to the above-referenced matter on behalf of defendants City of New York (“City”), Sergeant Alexandru Anghel, Detective James Baez, and Detective Jon Gladstone (collectively, “defendants”). Defendants write to respectfully request that the Court grant defendants a two-week enlargement of time, to June 29, 2017, to file their summary judgment motion. Plaintiffs’ counsel, Ryan Lozar, consents to this request. Additionally, the parties write to request that the Court extend the page limit for defendants’ memorandum of law in support of their summary judgment motion, and plaintiffs’ memorandum of law in opposition to defendants’ summary judgment motion, to 35 pages each.

By way of background, on April 26, 2017, the Court set the following briefing deadlines relating to defendants’ anticipated summary judgment motion: (1) defendants’ motion for summary judgment due by June 15, 2017; (2) plaintiffs’ opposition to defendants’ summary motion, due by July 17, 2017; and (3) defendants’ reply by July 28, 2017. This Office has been working diligently to finalize defendants’ moving papers. However, the undersigned was recently reassigned to this matter and will require additional time to review deposition transcripts and discovery that took place in his absence. In light of the foregoing, defendants request that the Court enlarge their time to file their moving papers, and additionally propose the following briefing schedule:

- Defendants’ motion for summary judgment due June 29, 2017
- Plaintiffs’ opposition to defendants’ motion due by July 31, 2017

- Defendants' reply due by August 12, 2017

Additionally, at the Pre-Motion Conference that took place on April 26, 2017, the parties discussed a variety of claims that require briefing, including: (1) unreasonable detention; (2) unreasonable search; (3) unreasonable manner of search; (4) malicious prosecution; (5) fabrication of information; and (6) a Monell claim. Because of the intricate factual circumstances underlying these claims, defendants anticipate needing additional pages for their memorandum of law. Pursuant to Your Honor's Individual Rules and Practices in Civil Cases ("Individual Rules"), memoranda of law in support of motions are limited to 25 pages unless prior permission has been granted by the Court. (See Individual Rules, ¶ 3.B.) Therefore, defendants respectfully request that the Court enlarge the page limit for defendants' memorandum of law in support of their summary judgment motion from 25 pages to 35 pages. Additionally, should the Court be inclined to grant this request, defendants consent to a similar enlargement of the page limit for plaintiffs' moving papers.

In light of the foregoing, defendants respectfully request that the Court grant defendants a two-week enlargement of time, to June 29, 2017, to file their summary judgment motion. Additionally, the parties request that the Court extend the page limit for defendants' memorandum of law in support of their summary judgment motion, and plaintiffs' memorandum of law in opposition to defendants' summary judgment motion, to 35 pages each.

Thank you for your consideration herein.

Respectfully submitted,

/s/

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